APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/665,076	09/16/2003	Matthew J. Leary	ESI.03	6116

			EXAMINER
25871	7590	07/19/2006	LOHN, JOSHUA A

SWANSON & BRATSCHUN L.L.C.
1745 SHEA CENTER DRIVE
SUITE 330
HIGHLANDS RANCH, CO 80129

ART UNIT	PAPER NUMBER
2114	

DATE MAILED: 07/19/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)
Office Action Summary	10/665,076	LEARY ET AL.
	Examiner	Art Unit
	David G. Gentry	2114

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on <u>16 September 2003</u>.
2a) ☐ This action is **FINAL**.   2b) ☒ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) <u>1-59</u> is/are pending in the application.
    4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☒ Claim(s) <u>52-59</u> is/are allowed.
6) ☒ Claim(s) <u>1-5,14-20,22-29,31,32,36-41,43,44 and 48-51</u> is/are rejected.
7) ☒ Claim(s) <u>6-13,21,30,33-35,42,45-47</u> is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.
10) ☒ The drawing(s) filed on <u>16 September 2003</u> is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
    a) ☐ All   b) ☐ Some * c) ☐ None of:
      1. ☐ Certified copies of the priority documents have been received.
      2. ☐ Certified copies of the priority documents have been received in Application No. _____.
      3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claim 46 recites the limitation "the point-to-point format". There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

The factual inquiries set forth in *Graham* v. *John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

Claims 1, 4, and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Zak et al. (U.S. Publication No. 2004/0039980) in view of Whitehead (U.S. Publication No. 2002/0199182).

As per claim 1, Zak discloses a system for testing message flow, comprising:

a test controller (paragraph 21, lines 4-6; Note: application program represents test controller);

a message collector (paragraph 21, lines 4-6), comprising:

a first configuration interface coupled to receive first message selection criteria from the test controller (paragraph 21, lines 4-6);

first means for comparing data elements in the messages received through the first receiver against the first message selection criteria whereby received messages which meet the message selection criteria are identified (paragraph 21, lines 4-6); and

a message validator, comprising:

a second configuration interface coupled to receive message validation criteria from the test controller (paragraph 21, lines 4-6);

means for comparing the messages identified by the message collector against the message validation criteria (paragraph 21, lines 12-19);

and a first transmitter for transmitting results of the comparison to the test controller (paragraph 21, lines 12-19; Note: the application program is receiving the results after the validation).

Zak fails to disclose an enterprise application integration message bus environment, although he does disclose that the communications network can include any means of transmitting data among computer systems or parts of computer systems (paragraph 22, lines 3-5).

Whitehead discloses a system in an enterprise application integration (EAI) message bus environment (paragraph 11), comprising:

a first receiver coupled to receive messages transmitted among enterprise applications on the message bus (paragraph 11).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to include the EAI bus system as described by Whitehead in the system described by Zak. It would have been obvious because Whitehead allows for inter-application messaging in a business (paragraph 11).

As per claim 4, Zak discloses a system further comprising a message generator, comprising:

a third configuration interface coupled to receive test messages from the test controller; and

a first message transmitter, responsive to the third configuration interface, coupled to transmit the test messages onto the message bus.

As per claim 18, Zak discloses a control interface, comprising:

a first transmitter for transmitting first message selection criteria to a message collector coupled to the message bus whereby the message collector receives messages transmitted among enterprise applications on the message bus and identifies messages which meet the first message selection criteria (paragraph 21, lines 4-15);

a second transmitter for transmitting message validation criteria to a message validator whereby the message validator compares the messages identified by the

message collector against the message validation criteria (paragraph 21, lines 4-15);

and

a receiver for receiving results of the comparison by the message validator

(paragraph 21, lines 12-19; Note: the application program is receiving the results after

the validation).

Zak fails to disclose an enterprise application integration message bus

environment, although he does disclose that the communications network can include

any means of transmitting data among computer systems or parts of computer systems

(paragraph 22, lines 3-5).

Whitehead discloses a control interface for testing message flow in an enterprise

application integration (EAI) message bus environment (paragraph 11).

It would have been obvious to a person of ordinary skill in the art at the time the

invention was made to include the EAI bus system as described by Whitehead in the

system described by Zak. It would have been obvious because Whitehead allows for

inter-application messaging in a business (paragraph 11).

Claims 2-3 and 5 are rejected under 35 U.S.C. 103(a) as being unpatentable

over Zak and Whitehead in further view of Dorner et al. (U.S. Publication No.

2004/0064431).

Zak and Whitehead are relied upon for reasons stated in the previous section.

As per claim 2, Zak and Whitehead fail to disclose a message template

database.

Dorner discloses a system further comprising a message template database comprising a plurality of test message templates selectable by the message collector whereby the first means for comparing compares a selected message template against messages received from the message bus (paragraphs 135 and 136; Note: the supplemental content logic database represents the message template database).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to include the message template database as described by Dorner in the system described by Zak and Whitehead. It would have been obvious because it allows the system to know which types of messages to intercept (paragraphs 135 and 136).

As per claim 3, Dorner discloses a system wherein at least one message template being derived from a previously received and stored message (paragraph 62).

As per claim 5, Zak and Whitehead fail to disclose a message template database.

Dorner discloses a system further comprising a message template database comprising a plurality of test message templates selectable by the message generator to generate test messages for transmission onto the message bus (paragraph 62; Note: the articles are used to publish messages).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to include the message template database as described by Dorner in the system described by Zak and Whitehead. It would have been obvious because it

allows the system to set up rules about publishing messages (paragraph 63).

Claims 14 and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Zak and Whitehead in further view of Umezu et al. (U.S. Publication No. 2002/0109734).

Zak and Whitehead are relied upon for reasons stated in the previous section.

As per claim 14, Zak and Whitehead fail to disclose a GUI-based test tool.

Umezu discloses a system wherein the test controller comprising an interface coupled to a GUI-based test tool whereby the test controller is programmable through the GUI-based test tool (paragraph 1).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to include the GUI as described by Umezu in the system described by Zak and Whitehead. It would have been obvious because it allows the test controller to be easily controlled by a user (paragraph 21).

As per claim 22, Zak and Whitehead fail to disclose a GUI-based test tool.

Umezu discloses a control interface further comprising an interface coupled to a GUI-based test tool whereby:

the control interface is programmable through the GUI-based test tool (paragraph 1); and

the control interface transmits results of the comparison by the message validator to the GUI-based test tool (claim 1).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to include the GUI as described by Umezu in the system described by Zak and Whitehead. It would have been obvious because it allows the test controller to be easily controlled by a user (paragraph 21).

Claims 15, 23, and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Zak and Whitehead in further view of Ernst et al. (U.S. Publication No. 2002/0034888).

Zak and Whitehead are relied upon for reasons stated in the previous section.

As per claim 15, Zak and Whitehead fail to disclose regression testing.

Ernst discloses a system wherein the message validation criteria comprises a regression baseline set of messages (paragraph 35; Note: according to the specification, a regression baseline message is taken to mean a message where only certain tags are compared).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to include the regression testing as described by Ernst in the system described by Zak and Whitehead. It would have been obvious because it allows the system more flexibility in which messages to process (paragraph 35).

As per claim 23, Zak and Whitehead fail to disclose regression testing.

Ernst discloses a control interface wherein the message validation criteria comprises at least one regression baseline message (paragraph 35; Note: according to

the specification, a regression baseline message is taken to mean a message where only certain tags are compared).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to include the regression testing as described by Ernst in the system described by Zak and Whitehead. It would have been obvious because it allows the system more flexibility in which messages to process (paragraph 35).

As per claim 24, Ernst discloses a control interface wherein the at least one regression baseline message comprises a message template (paragraph 35).

Claims 16, 17, 26, and 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Zak and Whitehead in further view of T V et al. (U.S. Publication No. 2004/0240462).

Zak and Whitehead are relied upon for reasons stated in the previous section.

As per claim 16, Zak and Whitehead fail to disclose a message element that is ignored by the means for comparing.

T V discloses a system wherein the message validation criteria comprising specification of a message element to be ignored by the means for comparing (paragraphs 35-37; Note: the main part of the message is ignored).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to include the message element to be ignored as described by Dorner in the system described by Zak and Whitehead. It would have been obvious because it allows the node that is to process the message to be changed easily

(paragraphs 35-37).

As per claim 17, Zak and Whitehead fail to disclose a message element to be matched by means for comparing.

T V discloses a system wherein the message validation criteria comprising specification of a message element to be matched by the means for comparing (paragraphs 35-37; Note: the message identification number is compared to see if it falls within a predetermined range).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to include the message element to be matched as described by T V in the system described by Zak and Whitehead. It would have been obvious because it allows the node to easily identify if it is supposed to process the message (paragraphs 35-37).

As per claim 26, Zak and Whitehead fail to disclose a message element that is ignored by the means for comparing.

T V discloses a control interface wherein the message validation criteria comprising specification of a message element to be ignored by the message validator (paragraphs 35-37; Note: the main part of the message is ignored).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to include the message element to be ignored as described by Dorner in the system described by Zak and Whitehead. It would have been obvious because it allows the node that is to process the message to be changed easily (paragraphs 35-37).

As per claim 27, Zak and Whitehead fail to disclose a message element to be matched by means for comparing.

T V discloses a control interface wherein the message validation criteria comprising specification of a message element to be matched by the message validator (paragraphs 35-37; Note: the message identification number is compared to see if it falls within a predetermined range).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to include the message element to be matched as described by T V in the system described by Zak and Whitehead. It would have been obvious because it allows the node to easily identify if it is supposed to process the message (paragraphs 35-37).

Claims 19 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Zak and Whitehead in further view of Hohpe et al. ("Test-Driven Development in Enterprise Integration Projects").

Zak and Whitehead are relied upon for reasons stated in the previous section.

As per claim 19, Zak and Whitehead fail to disclose a message generator that transmits a test message onto the message bus.

Hohpe discloses a control interface, further comprising a second transmitter for transmitting test message criteria to a message generator in response to which the message generator transmits a test message onto the message bus (page 3, last paragraph- page 4, first paragraph; Note: the transmitter is transmitting the test data of

an external application during the capture/replay mechanism described in Hohpe).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to include the message generator as described by Hohpe in the control interface as described by Zak and Whitehead. It would have been obvious because it creates test data to be used in the testing of the system (page 3, last paragraph, lines 1-2).

As per claim 20, Zak discloses a control interface further comprising a third transmitter for transmitting second message selection criteria and response rules to a message responder whereby the message responder identifies messages received from the message bus which meet the second message selection criteria (paragraph 21, lines 4-19).

Zak and Whitehead fail to disclose a predetermined enterprise application.

Hohpe discloses a control interface, further comprising in response to an identified message, transmits a test message, generated according to the response rules, onto the message bus, the message responder appearing to enterprise applications on the message bus as a predetermined enterprise application (page 4, paragraph 3; page 9, last paragraph, lines 5-8).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to include the simulated enterprise application as described by Hohpe in the control interface described by Zak and Whitehead. It would have been obvious because the stub can be used to trigger external events that may have taken too much time (page 9, last paragraph, lines 4-8).

Claim 25 is rejected under 35 U.S.C. 103(a) as being unpatentable over Zak, Whitehead, and Ernst in further view of Dorner.

Zak, Whitehead, and Ernst are relied upon for reasons stated in the previous section.

Zak, Whitehead, and Ernst fail to disclose the message template being derived from a previously received and stored message.

Dorner discloses a control interface wherein the message template is derived from a previously received and stored message (paragraph 62).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to include the message template database as described by Dorner in the system described by Zak, Whitehead, and Ernst. It would have been obvious because it allows the system to set up rules about publishing messages (paragraph 63).

Claims 28 and 40 are rejected under 35 U.S.C. 103(a) as being unpatentable over Zak in view of Whitehead, and in further view of Shiels et al. (U.S. Patent No. 6,959,431).

As per claims 28 and 40, Whitehead discloses a method for testing message flow, comprising:

generating first message selection criteria (paragraph 21, lines 4-15);

generating message validation criteria (paragraph 21, lines 4-15);

identifying received messages which meet the first message selection criteria (paragraph 21, lines 4-15); and

comparing identified messages against the message validation criteria (paragraph 21, lines 4-15).

Zak fails to disclose an enterprise application integration message bus environment, although he does disclose that the communications network can include any means of transmitting data among computer systems or parts of computer systems (paragraph 22, lines 3-5).

Whitehead discloses a method in an enterprise application integration (EAI) message bus environment (paragraph 11), comprising:

receiving messages transmitted among enterprise applications on a message bus (paragraph 11).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to include the EAI bus system as described by Whitehead in the system described by Zak. It would have been obvious because Whitehead allows for inter-application messaging in a business (paragraph 11).

Zak and Whitehead fail to disclose transmitting test results to a user.

Shiels discloses a method wherein the test results are transmitted to a user (column 6, lines 36-52).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to include the transmission of test results to a user as described by

Shiels in the method described by Zak and Whitehead. It would have been obvious because Shiels allows for the user to respond to the results (column 6, lines 36-52).

Claims 29 and 41 are rejected under 35 U.S.C. 103(a) as being unpatentable over Zak, Whitehead, and Shiels in further view of Hohpe et al. ("Test-Driven Development in Enterprise Integration Projects").

Zak, Whitehead, and Shiels are relied upon for reasons stated in the previous section.

As per claims 29 and 41, Zak, Whitehead, and Shiels fail to disclose a method wherein a predetermined enterprise application is simulated.

Hohpe discloses a method further comprising simulating a predetermined enterprise application (page 4, paragraph 3; page 9, last paragraph, lines 5-8).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to include the simulated enterprise application as described by Hohpe in the method described by Zak, Whitehead, and Shiels. It would have been obvious because the stub can be used to trigger external events that may have taken too much time (page 9, last paragraph, lines 4-8).

Claims 31, 32, 43, and 44 are rejected under 35 U.S.C. 103(a) as being unpatentable over Zak, Whitehead, and Shiels in further view of Dorner.

Zak, Whitehead, and Shiels are relied upon for reasons stated in the previous section.

As per claims 31 and 43, Zak, Whitehead, and Shiels fail to disclose a method wherein generating first message selection criteria comprises generating first message selection criteria from message templates (paragraphs 135 and 136).

Dorner discloses a method wherein generating first message selection criteria comprises generating first message selection criteria from message templates.

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to include the message template database as described by Dorner in the system described by Zak, Whitehead, and Shiels. It would have been obvious because it allows the system to know which types of messages to intercept (paragraphs 135 and 136).

As per claims 32 and 44, Dorner discloses a method wherein generating message validation criteria comprises generating message validation criteria from message templates (paragraphs 135 and 136).

Claims 36 and 48 are rejected under 35 U.S.C. 103(a) as being unpatentable over Zak, Whitehead, and Shiels in further view of Umezu.

Zak, Whitehead, and Shiels are relied upon for reasons stated in the previous section.

As per claims 36 and 48, Zak discloses a method further comprising programming the generation of the first message selection criteria and the message validation criteria (column 21, lines 4-15).

Zak, Whitehead, and Shiels fail to disclose a GUI-based test tool.

Umezu discloses a GUI-based test tool (paragraph 1).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to include the GUI as described by Umezu in the system described by Zak, Whitehead, and Shiels. It would have been obvious because it allows the test controller to be easily controlled by a user (paragraph 21).

Claims 37 and 49 are rejected under 35 U.S.C. 103(a) as being unpatentable over Zak, Whitehead, and Shiels in further view of Ernst.

Zak, Whitehead, and Shiels are relied upon for reasons stated in the previous section.

As per claims 37 and 49, Zak, Whitehead, and Shiels fail to disclose regression testing.

Ernst discloses a system wherein the message validation criteria comprises a regression baseline set of messages (paragraph 35; Note: according to the specification, a regression baseline message is taken to mean a message where only certain tags are compared).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to include the regression testing as described by Ernst in the

system described by Zak, Whitehead, and Shiels. It would have been obvious because it allows the system more flexibility in which messages to process (paragraph 35).

Claims 38, 39, 50, and 51 are rejected under 35 U.S.C. 103(a) as being unpatentable over Zak, Whitehead, and Shiels in further view of T V.

Zak, Whitehead, and Shiels are relied upon for reasons stated in the previous section.

As per claims 38 and 50, Zak, Whitehead, and Shiels fail to disclose a message element that is ignored by the means for comparing.

T V discloses a method wherein the message validation criteria comprising specification of a message element to be ignored by the means for comparing (paragraphs 35-37; Note: the main part of the message is ignored).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to include the message element to be ignored as described by Dorner in the system described by Zak, Whitehead, and Shiels. It would have been obvious because it allows the node that is to process the message to be changed easily (paragraphs 35-37).

As per claims 39 and 51, Zak, Whitehead, and Shiels fail to disclose a message element to be matched by means for comparing.

T V discloses a method wherein the message validation criteria comprising specification of a message element to be matched by the means for comparing

(paragraphs 35-37; Note: the message identification number is compared to see if it falls within a predetermined range).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to include the message element to be matched as described by T V in the system described by Zak, Whitehead, and Shiels. It would have been obvious because it allows the node to easily identify if it is supposed to process the message (paragraphs 35-37).

Allowable Subject Matter

Claims 52-59 are allowed.

Claims 6-13, 21, 30, 33-35, 42, and 45-47 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to David G. Gentry whose telephone number is (571) 272-2570. The examiner can normally be reached on M-F 8-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Scott Baderman can be reached on (571) 272-3644. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

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SCOTT BADERMAN
SUPERVISORY PATENT EXAMINER